

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

KAYLYN ROTH,

Plaintiffs,

v.

Case No. 11cv1023 ACT/RHS

BEAM GLOBAL SPIRITS & WINE, INC.,

Defendant.

INITIAL SCHEDULING ORDER

THIS MATTER is assigned to me for all scheduling, case management, discovery and non-dispositive motions. The Federal Rules of Civil Procedure, as amended, and the Local Rules of Civil Procedure for the United States District Court shall apply to this civil litigation.

IT IS THEREFORE ORDERED that all pretrial practice in the above-captioned cause shall be in accordance with the following:

1. The parties, appearing through counsel of record or pro se, are hereby directed to personally meet and confer no later than **Thursday, March 29, 2012**, for the purpose of formulating a Joint Status Report and Provisional Discovery Plan (hereinafter referred to as "JSR") pursuant to Fed. R. Civ. P. 26(f). The time allowed for discovery is generally 120 to 150 days. The parties and counsel shall cooperate in preparing a JSR. The standardized JSR form is available at the Court's web site, www.nmcourt.fed.us, and may be downloaded for use in preparation of the JSR in the instant cause. The blanks in the JSR for suggested/proposed dates are to be filled in by the parties. The final case management dates will be determined by the Court after consideration of the requests of the parties. Plaintiff(s), or Defendant(s) in removed cases, shall be responsible for the filing of the JSR on or before **Friday, March 30, 2012**.

2. Initial disclosures under Fed. R. Civ. P. 26(a)(1) shall be made within fourteen (14) days of the date of the meet-and-confer session.

3. The parties and counsel may not modify the case management deadlines set forth herein without the showing of good cause and then only upon the express and written order of the Court. Modifications not approved by the Court will not be recognized and are not binding upon this litigation.

4. The Rule 16 Scheduling Conference will be conducted in my chambers in the Pete V. Domenici United States District Courthouse, 333 Lomas Boulevard, NW, Albuquerque, New Mexico, Suite 620, on **Tuesday, April 3, 2012 at 9:00 a.m. (MST)**. The attorney or attorneys who will be presenting the case at trial on the merits may attend in person or may attend telephonically by calling (505) 348-2329. If you plan to attend telephonically, telephone Judge Scott's chambers at (505) 348-2300 the day before the conference to state that you will appear via telephone. At the Rule 16 Scheduling Conference, counsel shall be prepared to discuss discovery needs and scheduling, all claims and defenses, the use of scientific evidence or whether a Daubert hearing is needed, initial disclosures, and the timing of expert disclosures and reports under Fed. R. Civ. P. 26(a)(2). We will also discuss settlement prospects and alternative dispute resolution possibilities and the consideration of consent pursuant to 28 U.S.C. §636(c). Clients are invited but not required to attend the scheduling conference.

Pretrial practice in this cause shall be in accordance with the foregoing.

Signed and entered March 21, 2012.

Robert Hayes Scott
ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE